

SUBCHAPTER B—ADMINISTRATION

PARTS 100–101 [RESERVED]

PART 102—DISCLOSURE OF GOVERNMENT INFORMATION

Subpart A—Freedom of Information Act

- Sec.
- 102.1 General.
 - 102.2 Public reference facilities.
 - 102.3 Records under FOIA.
 - 102.4 Requirements for making requests.
 - 102.5 Responsibility for responding to requests.
 - 102.6 Time limits and expedited processing.
 - 102.7 Responses to requests.
 - 102.9 Business Information.
 - 102.10 Appeals from initial determinations or untimely delays.
 - 102.11 Fees.

Subpart B—Privacy Act

- 102.21 Purpose and scope.
- 102.22 Definitions.
- 102.23 Procedures for making inquiries.
- 102.24 Procedures for making requests for records.
- 102.25 Disclosure of requested records to individuals.
- 102.26 Special procedures: Medical records.
- 102.27 Procedures for making requests for correction or amendment.
- 102.28 Review of requests for correction or amendment.
- 102.29 Appeal of initial adverse determination on correction or amendment.
- 102.30 Disclosure of record to person other than the individual to whom it pertains.
- 102.31 Fees.
- 102.32 Penalties.
- 102.33 General exemptions.
- 102.34 Specific exemptions.

APPENDIX TO PART 102—SYSTEMS OF RECORDS NOTICED BY OTHER FEDERAL AGENCIES AND APPLICABLE TO USPTO RECORDS, AND APPLICABILITY OF THIS PART THERETO

AUTHORITY: 5 U.S.C. 552; 5 U.S.C. 552a; 5 U.S.C. 553; 31 U.S.C. 3717; 35 U.S.C. 2(b)(2), 21, 41, 42, 122; 44 U.S.C. 3101.

SOURCE: 65 FR 52917, Aug. 31, 2000, unless otherwise noted.

Subpart A—Freedom of Information Act

§ 102.1 General.

(a) The information in this part is furnished for the guidance of the public and in compliance with the require-

ments of the Freedom of Information Act (FOIA), as amended (5 U.S.C. 552). This part sets forth the procedures the United States Patent and Trademark Office (USPTO) follows to make publicly available the materials and indices specified in 5 U.S.C. 552(a)(2) and records requested under 5 U.S.C. 552(a)(3). Information routinely provided to the public as part of a regular USPTO activity (for example, press releases issued by the Office of Public Affairs) may be provided to the public without following this part. USPTO's policy is to make discretionary disclosures of records or information exempt from disclosure under FOIA whenever disclosure would not foreseeably harm an interest protected by a FOIA exemption, but this policy does not create any right enforceable in court.

(b) As used in this subpart, *FOIA Officer* means the USPTO employee designated to administer FOIA for USPTO. To ensure prompt processing of a request, correspondence should be addressed to the FOIA Officer, United States Patent and Trademark Office, P.O. Box 1450, Alexandria, Virginia 22313-1450, or delivered by hand to 10B20, Madison Building East, 600 Dulany Street, Alexandria, Virginia.

[65 FR 52917, Aug. 31, 2000, as amended at 68 FR 14338, Mar. 25, 2003; 70 FR 10489, Mar. 4, 2005]

§ 102.2 Public reference facilities.

(a) USPTO maintains a public reference facility that contains the records FOIA requires to be made regularly available for public inspection and copying; furnishes information and otherwise assists the public concerning USPTO operations under FOIA; and receives and processes requests for records under FOIA. The FOIA Officer is responsible for determining which of USPTO's records are required to be made available for public inspection and copying, and for making those records available in USPTO's reference and records inspection facility. The FOIA Officer shall maintain and make available for public inspection and copying a current subject-matter index